



DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2021-0154]

Agency Information Collection Activities; Approval of a Renewal of a Currently-Approved Information Collection: *Annual Report of Class I and Class II For-Hire Motor Carriers*

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval and invites public comment. FMCSA requests approval to renew the previously approved ICR titled, *“Annual Report of Class I and Class II For-Hire Motor Carriers,”* OMB Control No. 2126-0032. This ICR is necessary to comply with FMCSA’s financial and operating statistics requirements at chapter III of title 49 CFR part 369 titled, *“Reports of Motor Carriers.”*

DATES: Comments on this notice must be received on or before [Insert date 30 days after date of publication in the FEDERAL REGISTER].

ADDRESSES: Written comments and recommendations for the information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this information collection by selecting “Currently under 30-day Review - Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: Mr. Jeff Secrist, Office of Registration and Safety Information, DOT, FMCSA, West Building 6th Floor, 1200 New Jersey Avenue, SE, Washington, DC 20590-0001. Telephone: 202-385-2367; e-mail jeff.secrist@dot.gov.

SUPPLEMENTARY INFORMATION:

Title: Annual Report of Class I and Class II For-Hire Motor Carriers.

OMB Control Number: 2126-0032.

Type of Request: Renewal of a currently-approved information collection.

Respondents: Class I and Class II For-Hire Motor Carriers of Property and Class I For-Hire Motor Carriers of Passengers.

Estimated Number of Respondents: 102 total (34 per year).

Estimated Time per Response: 9 hours for Form M and 0.3 hours for Form MP-1.

Expiration Date: May 31, 2022.

Frequency of Response: Annually.

Estimated Total Annual Burden: 306 hours [306 hours (Form M) + 0 hours (Form MP-1)].

Estimated annual respondents for Form M decreased from 43 in the previously approved Information Collection Requirement (ICR) to 34 in the current ICR. Estimated annual burden hours for Form M decreased by 78 hours [306 proposed hours – 384 currently approved hours = –78 hours]. Estimated annual respondents for Form MP-1 stayed the same. The previously approved ICR had 0 annual hours. The current ICR has 0 annual hours. This estimate is based off the number of Form M and Form MP-1 submissions received by the Agency between 2018 and 2020, which results in these estimates of annual respondents/responses for the upcoming information collection period.

Labor costs to industry have decreased by \$2,276 annually [$\$14,494$ in proposed costs – $\$16,770$ currently approved costs = $-\$2,276$]. This is due to the decreased estimates of annual respondents/responses. Other annual costs to respondents (i.e., associated with mailing completed forms to FMCSA) have decreased by \$9 [$\34 in proposed mailing costs for Form M + $\$0$ in proposed mailing costs for Form MP-1) – ($\$43$ in previously approved mailing costs for Form M + $\$0$ in previously approved mailing costs for Form MP-1) = $-\$9$]. This change is also due to the decreased estimates of annual respondents/responses.

For the Federal Government, annual costs have increased by \$6 [$\79 in proposed costs – $\$73$ in previously approved costs = $\$6$]. This increase is due to a revision in the federal government employee load rate, which was revised to be consistent with other FMCSA ICRs.

BACKGROUND:

Section 14123 of title 49 of the United States Code (U.S.C.) requires certain for-hire motor carriers of property, passengers, and household goods to file annual financial reports. The annual reporting program was implemented on December 24, 1938 (3 FR 3158), and it was subsequently transferred from the Interstate Commerce Commission (ICC) to the U.S. Department of Transportation's (DOT) Bureau of Transportation Statistics (BTS) on January 1, 1996. The Secretary of Transportation delegated to BTS the responsibility for the program on December 17, 1996 (61 FR 68162). Responsibility for collection of the reports was transferred from BTS to FMCSA on August 17, 2004 (69 FR 51009), and the regulations were redesignated as 49 CFR part 369 on August 10, 2006 (71 FR 45740). FMCSA collects carriers' annual reports and furnishes copies of the reports when requested under the Freedom of Information Act (FOIA). Annual financial reports are filed on Form M (Class I and II for-hire property carriers, including household goods carriers) and Form MP-1 (Class I for-hire passenger carriers). For-hire motor

carriers (including interstate and intrastate) subject to the Federal Motor Carrier Safety Regulations are classified on the basis of their gross carrier operating revenues.¹

The data and information collected is publicly available through FOIA requests. FMCSA has created electronic forms that may be prepared, signed electronically, and submitted to FMCSA via <https://ask.fmcsa.dot.gov/app/ask/>. FMCSA revised Form M to ensure that it solicits only that information required by statute, and also added an option to allow filers to upload their own document in lieu of filling out either Form M or MP-1 (as applicable), so long as the document includes all of the information listed on the form.

PUBLIC COMMENTS INVITED: You are asked to comment on any aspect of this information collection, including: (1) whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information.

Issued under the authority of 49 CFR 1.87.

Thomas P. Keane,
Associate Administrator,
Office of Research and Registration.

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¹ For purposes of the Financial and Operating Statistics (F&OS) program, carriers are classified into the following three groups: (1) Class I carriers are those having annual carrier operating revenues (including interstate and intrastate) of \$10 million or more after applying the revenue deflator formula as set forth in Note A of 49 CFR 369.2; and (2) Class II carriers are those having annual carrier operating revenues (including interstate and intrastate) of at least \$3 million, but less than \$10 million after applying the revenue deflator formula as set forth in 49 CFR 369.2.